

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MARIA CHRZAN,)	
)	Civil Action No. 3:10-cv-0225
Plaintiff,)	
)	Judge Nixon
v.)	
)	Magistrate Judge Bryant
ADT SECURITY SERVICES, INC.,)	
)	JURY DEMAND
Defendant)	

INITIAL CASE MANAGEMENT ORDER

Pursuant to LR 16.01(d), the following Initial Case Management Plan is **proposed**.

1. JURISDICTION: The court has jurisdiction pursuant to 28 U.S.C. § 1332.
2. BRIEF THEORIES OF THE PARTIES:
 - A. PLAINTIFF: Defendant discriminated against Plaintiff on the basis of her national origin. Plaintiff was and terminated for making a statement that was not racially defamatory in her culture, whereas American employees who blatantly referred to Plaintiff as a “Polack” were not disciplined in any way. Plaintiff’s termination was a violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq..
 - B. DEFENDANT: Defendant denies the material allegations in Plaintiff’s complaint. Plaintiff was terminated due to her failure to follow Defendant’s policies and procedures, culminating in her admitted use of racially derogatory statements towards another employee. Plaintiff was not treated any differently due to her national origin.

3. ISSUES RESOLVED: Jurisdiction and venue. Plaintiff has consented to dismissal of her THRA claims as untimely.
4. ISSUES STILL IN DISPUTE: Liability and damages.
5. INITIAL DISCLOSURES: The parties shall exchange initial disclosures pursuant to Fed.R.Civ.P. 26(a)(1) on or before May 28, 2010.
6. DISCOVERY: The parties shall complete all written discovery and depose all fact witnesses on or before September 30, 2010. Discovery is not stayed during dispositive motions, unless ordered by the court. No motions concerning discovery are to be filed until after the parties have conferred in good faith and, unable to resolve their differences, have scheduled and participated in a conference call with Magistrate Judge Bryant.
7. SUBSEQUENT CASE MANAGEMENT CONFERENCE: A subsequent case management conference is scheduled for September 1, 2010, at 10:30 a.m. The subsequent case management conference will be conducted by telephone, with Plaintiff's counsel initiating the call.
8. MOTIONS TO AMEND: The parties shall file all Motions to Amend on or before August 27, 2010.
9. DISCLOSURE OF EXPERTS: The Plaintiff shall identify and disclose all expert witnesses and reports on or before September 30, 2010. Defendant shall identify and disclose all expert witnesses and reports on or before October 29, 2010.
10. DEPOSITIONS OF EXPERT WITNESSES: The parties shall depose all expert witnesses on or before November 30, 2010.

11. JOINT MEDIATION REPORT: The parties shall submit a joint mediation report on or before October 15, 2010.
12. DISPOSITIVE MOTIONS: The parties shall file all dispositive motions on or before January 14, 2011. Responses to dispositive motions shall be filed by February 11, 2011. Optional replies shall be filed by February 25, 2011. If dispositive motions are filed early, the response and reply dates are moved up accordingly. Barring court permission, briefs shall not exceed 25 pages, replies are limited to 5 pages. No motion for partial summary judgment shall be filed except upon leave of court. Any party wishing to file such a motion shall first file a separate motion that gives the justification for filing a partial summary judgment motion in terms of overall economy of time and expense for the parties, counsel and the court.
13. ELECTRONIC DISCOVERY: The parties anticipate that they will be able to agree on all matters regarding electronic discovery.
14. JURY TRIAL DATE: Jury trial is set to begin on July 26, 2011, at 9:00 a.m. A pretrial conference shall be held on July 15, 2011, at 10:00 a.m. Trial is expected to last two (2) days. Judge Nixon will issue a separate order setting forth his requirements for both the trial and pretrial conference.

It is so ORDERED.

Dated this 17th day of May, 2010.

s/ John S. Bryant

JOHN S. BRYANT
U. S. Magistrate Judge